

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

DERRELL FULTON,

Plaintiff,

v.

CITY OF CHICAGO, et al.

Defendants.

17 cv 8696

Judge Pacold

Magistrate Judge Harjani

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NEVEST COLEMAN,

Plaintiff,

v.

CITY OF CHICAGO, et al.

Defendants

18 cv 998

Judge Pacold

Magistrate Judge Harjani

**COOK COUNTY'S RESPONSE**  
**TO CITY DEFENDANTS' MOTION TO COMPEL**

NOW COMES Defendant COOK COUNTY, by and through its attorneys, TRIBLER, ORPETT & MEYER, P.C., and for its Response to the City Defendants' Motion to Compel, states as follows:

1. On December 23, 2020 at 5:26 p.m., the City Defendants filed a motion to compel Cook County's production of documents it does not possess.

2. On December 23, 2020, prior to the City Defendants' motion to compel having been filed, the County issued subpoenas to the Cook County State's Attorney's Office requesting the documents in which the City Defendants had requested from the County, but for which the

County did not possess. The subpoenas called for production by January 4, 2020, prior to Rotert's deposition on January 7, 2020. (See Exhibit A, attached subpoenas.)

3. The issues raised in the City Defendants' motion to compel were already resolved before the motion was filed per the email exchanges between the parties in accordance with Local Rule 37.2 (See Exhibit B, attached email exchanges.)

4. At 7:20 p.m. on December 23, 2020, County's counsel addressed this issue with the City Defendants' counsel and the City Defendants agreed to withdraw their motion to compel (See Exhibit B.)

5. Unfortunately, the City Defendants did not alert this Court of its intent to withdraw said motion as the County had requested. Therefore, this Court was unaware of the parties' discussions contained in Exhibit A and the City Defendants' intent to withdraw said motion. This necessitated the County to file the instant response.

6. The County awaits the City Defendants to inform this Court of their intent to withdraw said motion consistent with the emails exchanged in Exhibit B.

WHEREFORE, Cook County respectfully requests that the City Defendants' Motion to Compel be stricken and for any such further relief this Honorable Court deems fair and just.

Respectfully submitted,

TRIBLER ORPETT & MEYER, P.C.

s/ William B. Oberts

One of the attorneys for defendant,  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of Cook County's Response to City Defendants' Motion to Compel was served upon:

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service was accomplished pursuant to ECF as to Filing Users and complies with LR 5.5 as to any party who is not a Filing User or represented by a Filing User by mailing a copy to the above-named attorney or party of record at the address listed above, from 225 W. Washington Street, Suite 2550, Chicago, IL 60606, prior to 5:00 p.m. on the 24<sup>th</sup> day of December, 2020 with proper postage prepaid.

s/William B. Oberts  
an Attorney